

DETAILED ACTION

The following is pursuant to the Board of Appeals order returning undocketed appeal to examiner, mailed on March 17, 2009.

1. Appellant identified fewer than all of the rejected claims as being appealed in the status of claims section of the appeal brief. Therefore, the Office is considering this as an authorization to cancel the rejected claims that are not on appeal. *See Ex parte Ghuman* (Bd. Pat. App. & Int. May 1, 2008) and MPEP § 1215.03. Accordingly, the following claims are hereby cancelled: claims 19-26.

2. Due to this cancellation of claims, the following changes are being made to the Examiner's Answer of August 15, 2008:

a) Replace the content of Section (3) **Status of Claims** with the following:

The statement of the status of the claims in the appeal brief is substantially correct. Claims 19-26 have been cancelled by examiner's amendment.

b) In Section (6) **Grounds of Rejection to be Reviewed on Appeal**, the paragraph titled GROUNDS OF REJECTION NOT ON REVIEW relates to claims that have now been cancelled. Please consider this paragraph as deleted from the Examiner's Answer in light of the claim cancellation.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javier G. Blanco whose telephone number is 571-272-4747. The examiner can normally be reached on M-F (9:00 a.m.-7:00 p.m.), first Friday of the bi-week off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Isabella can be reached on **(571)272-4749**. The fax phone numbers for the organization where this application or proceeding is assigned is 571-273-8300 for regular communications and After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0858.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Javier G. Blanco/

Examiner, Art Unit 3774

/DAVID ISABELLA/

Supervisory Patent Examiner, Art Unit 3774